

**9481. Misbranding of Hall's catarrh medicine. U. S. \* \* \* v. 108 Dozen Bottles of Hall's Catarrh Medicine. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14005. Inv. No. 27326. S. No. C-2603.)**

On December 9, 1920, the United States attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 108 dozen bottles of Hall's catarrh medicine, remaining unsold in the original unbroken bottles at St. Louis, Mo., alleging that the article had been shipped by F. J. Cheney & Co., Toledo, Ohio, on or about November 19, 1920, and transported from the State of Ohio into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Hall's Catarrh Medicine \* \* \*;" (bottle) "Hall's Catarrh Medicine \* \* \* valuable in the treatment of Catarrh \* \* \*;" (booklet) "Hall's Catarrh Medicine For Catarrh of the Nasal Cavity, Catarrh of the Ear, Throat, Stomach, Bowels or Bladder. \* \* \* a Blood Purifier \* \* \*"

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of potassium iodid, bitter plant extractives, cardamom, sugar, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effects of the said article, were false and fraudulent.

On June 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY,  
*Acting Secretary of Agriculture.*

**9482. Adulteration and misbranding of tomatoes. U. S. \* \* \* v. 18 Cases of Tomatoes. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14012. I. S. No. 6479-t. S. No. E-2922.)**

On December 18, 1920, the United States attorney for the Eastern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 18 cases, each case containing a number of cans of tomatoes, remaining unsold in the original unbroken packages at Brooklyn, N. Y., alleging that the article had been shipped by W. M. Wright & Sons, Blanchard, Del., and transported from the State of Delaware into the State of New York, and was received at Brooklyn, N. Y., on or about September 18, 1920, and charging adulteration and misbranding in violation of the Food and Drugs Act.

Adulteration of the article was alleged in the libel for the reason that water had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, and had been substituted in part for tomatoes, which the article purported to be, and for the further reason that it was mixed in a manner whereby damage or inferiority was concealed.

Misbranding was alleged in substance for the reason that the label on the cans containing the article bore the statement regarding the said article and the ingredients or substances contained therein, to wit, "Right Brand Tomatoes," together with a design showing a ripe tomato, which were false and misleading and deceived and misled the purchaser, and for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.